

**CITY OF WEST LINN
PRE-APPLICATION CONFERENCE
MEETING SUMMARY NOTES
JULY 15, 2021**

SUBJECT: Vacation of a public utility easement listed on the Christy Addition Subdivision Plat

FILE: PA-21-13

ATTENDEES: Applicant: Rick Cropper
Property Owner: Cheryl Cropper
Staff: John Floyd Associate Planner; Amy Pepper, Senior Project Engineer; Adam Bernert, Building Inspector II
Public: Kathie Halicki (Willamette Neighborhood Association President)

The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any "follow-up" items identified during the meeting. These comments are PRELIMINARY in nature. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.

Site Information

Site Address: 1816th 13th Street
Tax Not No.: Tax lot 31E02BB00302
Site Area: 10,022 Square Feet per the Christy Addition Plat
Zoning: Single Family Residential Detached, R-10
Neighborhood: Willamette
Applicable Code: CDC Chapters 11 and 34

Project Details:

The applicant proposes to vacate a 12 ft. wide public utility easement located at the rear of the lot, and a 6 foot utility easement along the western side of the lot for the purpose of converting an existing shed into a detached living area with water and sewer.

Public Comments:

None.

Discussion

The property is listed as an "Excluded lot" of the Christy Addition Subdivision Plat. This subdivision was approved by the city on February 25, 1980 (SUB-79-07) and the plat recorded with Clackamas County on August 25, 1980.

The lot is currently developed with a single-family home and two accessory structures. Access, utility, and stormwater services appear to be provided from utilities within the adjoining Christy Court and 13th Street right of ways. Two public utility easements (PUE) are listed on the plat that affect all lots, and appear to underly the shed being proposed for conversion into a detached living area. These include a 12-foot-wide PUE along the southern boundary, and a 6 foot wide PUE along the western boundary.

Based on prior conversations and the application materials, the city understands the project to include the conversion of an existing, two-story storage shed on the southwest corner of the property into detached living space. It is understood that cooking facilities are not proposed as part of the application.

The existing structure appears to be nonconforming with accessory structure standards (CDC 34.060) for three reasons:

- Is located within an easement
- Does not meet minimum side and rear setbacks
- Exceeds maximum height standards

Therefore, to move forward three approvals must be obtained:

- The PUE must be vacated (see Public Works for application process and requirements).
- A nonconforming structure approval to alter the shed per CDC 66.080. To obtain approval, you must demonstrate that the alteration does not increase the nonconformity in regards to setbacks or height. The following items must be submitted for approval:
 - Application Form for
 - Required Fee (\$1,000)
 - Survey of the property
 - Proposed building and site plans detailing the proposed alterations
- Building, plumbing, and right of way permits

Engineering Division Comments:

Please refer to separate emails from Amy Pepper in Public Works.

Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required.

DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application ***or provide any assurance of potential outcomes.*** Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. ***A new pre-application conference would have to be scheduled one that period lapses and these notes would no longer be valid. Any changes to the CDC standards may require a different design or submittal.***